

Monte J. White & Associates, PC
Monte J. White
1106 Brook Ave, Hamilton Place
Wichita Falls, TX 76301
(940)723-0099
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 08-70425-HDH-13
	§
Christine Marie Miller	§
	§ JUDGE HARLIN D. HALE
	§
	§ HEARING DATE: 5/26/2010
DEBTORS	§ HEARING TIME: 10:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 5/26/2010, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 222, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 04/15/2010, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Walter O'Cheskey, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

IN RE:

Christine Marie Miller

§ CASE NO. 08-70425-HDH-13

§

§ HEARING DATE: 5/26/2010

DEBTOR(s)

§ HEARING TIME: 10:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 04/15/2010

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 10/17/2008
2. Date of Section 341 Meeting: 11/12/2008
3. First Payment Date: 11/15/2008
4. Date of Confirmation: 3/23/2009
5. Total Plan Term Prior to this Modification: 60
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 18
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 42
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 5/15/2010
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$18,966.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$18,500.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$94.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

TRCC 7/8/2009

II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- X INCREASE monthly payment from \$1,120.00 per month to \$1,252.00 per month
(must coincide with resume date shown in item 9 above)
- Extend months from months to months (not to exceed 60 calendar
months from month of First Payment Date)
- Add balloon payment of in month (indicate how the balloon payment will be
made)

All modifications that include a balloon payment will require testimony.

Any arrears indicated in item 8 above shall be cured by the following method: N/A

III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$1,252.00 will resume on or before 5/15/2010 for 42 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$66,660.00 to \$72,204.00

If the base amount has changed complete the following:

- | | |
|---|--------------------|
| 1. Total Paid in as of the month prior
to Modification Approval: | \$19,620.00 |
| 2. (+)Plus Total Payments to be made
through the Remainder of Plan:
(Making up any arrears in item 9 above) | \$52,584.00 |
| 3. (=) New Base Amount | <u>\$72,204.00</u> |

IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

 X The unsecured creditor pool remains \$ 0 .

V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

A	S-BAC Home Loans Servicing, LP	Post-petition mortgage arrears	\$4,968.08	\$118.29 per month
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Note: Changes to any creditors above shall not be effective until the Modification is approved.

VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Per Agreed Order entered with the Court on 4/7/2010.

VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

N/A

Respectfully submitted,

/s/Monte J. White
Attorney for Debtor(s)

CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 04/20/2010, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White
Attorney for Debtor(s)

Label Matrix for local noticing
0539-7

Case 08-70425-hdh13
Northern District of Texas
Wichita Falls
Thu Apr 15 15:50:41 CDT 2010

ADT
PO Box 371490
Pittsburgh, PA 15250-7490

American Home Shield
PO Box 849
Carroll, IA 51401-0849

CR Evergreen, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Citibank Usa-Home Depot
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0507

Countrywide Home Loans Servicing, L.P.
400 Countrywide Way
Mail Stop SV-46
Simi Valley, CA 93065-6298

First Investors Financial Services Group, In
380 Interstate North Parkway, Ste. 300
Atlanta, GA 30339-2222

GE Money Bank - Old Navy
Attention: Bankruptcy
PO Box 103106
Roswell, GA 30076-9106

HSBCORCHARD Bank
ATTN: BANKRUPTCY
PO BOX 5253
Carol Stream, IL 60197-5253

Kay Jewelers
375 Ghent Rd
Akron, OH 44333-4600

1100 Commerce Street
Room 1254
Dallas, TX 75242-1305

Allied Interstate Inc.-Literary Guil
P.O. Box 5023
New York, NY 10163-5023

BAC Home Loans Servicing, LP
c/o BDFTE, LLP
1900 St.James Place Suite 500
Houston, TX 77056-4125

Chase
Attention: Bankruptcy Department
PO Box 100018
Kennesaw, GA 30156-9204

City of WF, WFISD, Wichita County
CO Perdue Brandon Fielder Collins & Mott
P.O. Box 8188
Wichita Falls, Texas 76307-8188

Darren Robert Mackjust
6614 Webb Ave
Wichita Falls, TX 76310-2024

First Premier Bank
PO Box 5524
Sioux Falls, SD 57117-5524

GE Money Bank-Care Credit
Attn: Bankruptcy
PO Box 103106
Roswell, GA 30076-9106

IRS Special Procedures
1100 Commerce St., Room 951
Mail Stop 5029 DAL
Dallas, TX 75242-1001

LNVN Funding LLC its successors and assigns
assignee of Citibank
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

1st Investors
300 Interstate N Pkwy 8t
Atlanta, GA 30339-2403

Am-eagle-GE Money Bank
Attention: Bankruptcy
PO Box 103106
Roswell, GA 30076-9106

BURKBURNETT INDEPENDENT SCHOOL DISTRICT
CO PERDUE BRANDON FIELDER COLLINS & MOT
PO BOX 8188
WICHITA FALLS TX 76307-8188

Childrens Place
Attn.: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0507

Countrywide Home Lending
Attention: Bankruptcy SV-314B
PO Box 5170
Simi Valley, CA 93062-5170

ECAST Settlement Corporation
POB 35480
Newark, NJ 07193-5480

GE Consumer Finance
For GE Money Bank
dba CARE CREDIT-GEMB
PO Box 960061
Orlando FL 32896-0061

HSBC Bank Nevada and its Assigns
by eCAST Settlement Corporation
as its agent
POB 35480
Newark NJ 07193-5480

JC Penney-GE Money Bank
Attention: Bankruptcy Department
PO Box 103106
Roswell, GA 30076-9106

Merrick Bank
Attn: Special Collections
P.O. Box 9201
Old Bethpage, NY 11804-9001

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Merrick Bank CO Resurgent Capital Services PO Box 10368 Greenville, SC 29603-0368	Monte J. White & Associates 1106 Brook Ave Wichita Falls TX 76301-5009	PRA Receivables Management LLC As Agent Of Portfolio Recovery Associates LLC CO The Home Depot POB 41067 Norfolk VA 23541-1067
Recovery Management Systems Corporation 25 SE 2nd Ave. Ste. 1120 Miami, FL 33131-1605	Recovery Management Systems Corporation 25 S.E. 2nd Avenue, Suite 1120 Miami, FL 33131-1605	Rjm Acq Llc 575 Underhill Blvd Suite 224 Syosset, NY 11791-3416
Roundup Funding, LLC MS 550 PO Box 91121 Seattle, WA 98111-9221	Seventh Ave-Swiss Colony PO Box 2804 Monroe, WI 53566-8004	Sterling, Inc. d-b-a Kay Jewelers CO Trauner, Cohen & Thomas 5901-C Peachtree Dunwoody Rd Atlanta, GA 30328-5382
Texoma Community Credit Union Po Box 1320 Wichita Falls, TX 76307-1320	The Swiss Colony P O Box 740933 Dallas,Tx 75374-0933	Verizon Customer Service Department PO Box 3105378 Atlanta, GA 30348
WFNNB - New York & Company PO Box 182125 Columbus, OH 43218-2125	WICHITA FALLS CITY & WICHITA COUNTY CO PERDUE BRANDON FIELDER COLLINS & MOT PO BOX 8188 WICHITA FALLS TX 76307-8188	WORLD FINANCIAL NETWORK NATIONAL BANK C O WEINSTEIN AND RILEY, PS 2001 WESTERN AVENUE, STE 400 SEATTLE, WA 98121-3132
Wichita Furniture 1000 Indiana St. Wichita Falls, Texas 76301-6711	(p)WYNDHAM CONSUMER FINANCE INC P O BOX 97474 LAS VEGAS NV 89195-0001	Christine Marie Miller 2215 Hunters Glen Wichita Falls, TX 76306-1137
Monte J. White Monte J. White & Associates, P.C. 1106 Brook Avenue Wichita Falls, TX 76301-5009	UST U.S. Trustee 1100 Commerce Street Room 976 Dallas, TX 75242-1011	Walter 12,13 Ocheskey 6308 Iola Avenue Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

WorldMark by Wyndham
Cynthia Potee, Agent
10750 W. Charleston Blvd., Ste. 130
Las Vegas, NV 89135

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Roundup Funding, LLC

(d)eCAST Settlement Corporation
POB 35480
Newark NJ 07193-5480

End of Label Matrix	
Mailable recipients	50
Bypassed recipients	5
Total	55